

1 Rene L. Valladares  
2 Federal Public Defender  
3 Nevada State Bar No. 11479  
4 \*Laura Barrera  
5 Assistant Federal Public Defender  
Michigan State Bar No. P80957  
411 E. Bonneville Ave., Ste. 250  
5 Las Vegas, Nevada 89101  
6 (702) 388-6577  
7 Laura\_Barrera@fd.org

8 \*Attorney for Petitioner Paul Santiago

9

10 UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

11 Paul Santiago,

12 Petitioner,

13 v.

14 State of Nevada,

15 Respondent.

16 Case No. 2:21-cv-00896-APG-NJK

17 **Unopposed motion for extension of  
time in which to file Opposition to  
Motion to Dismiss**

18 **(First request)**

19 Petitioner Paul Santiago respectfully moves this Court for an extension of time  
20 of 60 days, from February 10, 2023, to and including April 11, 2023, in which to file  
an Opposition to the Motion to Dismiss.

## **POINTS AND AUTHORITIES**

Mr. Santiago filed a *pro se* petition for writ of habeas corpus on or about May 4, 2021.<sup>1</sup> Counsel filed a First Amended Protective Petition on August 18, 2021.<sup>2</sup> Counsel simultaneously sought leave to file a Second Amended Petition, which the Court granted.<sup>3</sup> Mr. Santiago filed his Second Amended Petition on July 13, 2022.<sup>4</sup> Respondents filed their Motion to Dismiss on January 27, 2023.<sup>5</sup> Mr. Santiago now respectfully requests an extension of time of 60 days to file the Opposition to the Motion to Dismiss.

Additional time is needed because undersigned counsel recently replaced prior counsel on January 19, 2023.<sup>6</sup> Counsel is currently reviewing the case file and the claims in this case. Counsel needs additional time to familiarize herself with the extensive record in this case such that she can respond to the Motion to Dismiss.

In addition to reviewing this record, Counsel has had many additional professional obligations since replacing prior counsel in this case, including, among others: a reply in support of petition for writ of habeas corpus in *Orduna v. Garrett*, 3:20-cv-00641-MMD-CLB; an opposition to motion to dismiss in *Fleming v. Hutchings*, 2:20-cv-01983-CDS-EJY; and a reply in support of petition for writ of habeas corpus in state court in *White v. Johnson*, A-22-859004-W. Counsel is also involved in active investigations in several other federal habeas cases.

On February 9, 2023, counsel for Respondents, Deputy Attorney General Trisha Chapman, indicated by email that Respondents do not oppose this request

<sup>1</sup> ECF No. 1-1 at 1

2 ECF No. 11.

3 ECF No. 13.

<sup>4</sup> ECF No. 27.

5 ECF No. 67.

6 ECF No. 22.

1 with the understanding that Respondents' lack of objection is not waiver of any  
2 procedural defenses or statute of limitations challenges or construed as agreeing with  
3 the accuracy of the representations made in this Motion.

4 This motion is not filed for the purposes of delay, but in the interests of justice,  
5 as well as in the interest of Mr. Santiago. Counsel for Mr. Santiago respectfully  
6 requests this Court grant the motion and order Mr. Santiago to file the Opposition to  
7 the Motion to Dismiss no later than April 11, 2023.

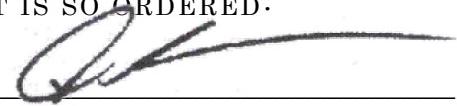
8  
9 Dated February 10, 2023.

10 Respectfully submitted,

11 Rene L. Valladares  
12 Federal Public Defender

13 /s/ Laura Barrera  
14 Laura Barrera  
15 Assistant Federal Public Defender

16 IT IS SO ORDERED:

17   
18 United States District Judge

19 Dated: February 13, 2023